	Application No.	Applicant(s)
Notice of Allowability	10/553,532	CUSHMAN ET AL.
	Examiner	Art Unit
	Charanjit S. Aulakh	1625
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not included will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>Paper filed on 17 April</u>	<u>il 2007</u> .	
2. The allowed claim(s) is/are <u>1-7,9-14,24,25 and 28-31</u> .		
 Acknowledgment is made of a claim for foreign priority unapplication. All b) Some* c) None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have a linear language. 	been received. been received in Application No	
Applicant has THREE MONTHS FROM THE "MAILING DATE" on noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be submi INFORMAL PATENT APPLICATION (PTO-152) which give		
5. CORRECTED DRAWINGS (as "replacement sheets") mus	t be submitted.	
(a) ☐ including changes required by the Notice of Draftsperso		948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	Amendment / Comment or in the O	ffice action of
Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the	84(c)) should be written on the drawin ne header according to 37 CFR 1.121(d	gs in the front (not the back) of l).
 DEPOSIT OF and/or INFORMATION about the deposent attached Examiner's comment regarding REQUIREMENT F 	sit of BIOLOGICAL MATERIAL m FOR THE DEPOSIT OF BIOLOGICA	nust be submitted. Note the AL MATERIAL.
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	E 🖂 Notice of Informal De	stant Application
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	5. ☐ Notice of Informal Pa6. ☒ Interview Summary (• •
	Paper No./Mail Date	e <u>5/24/07</u> .
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 4/30/07 	7. 🛛 Examiner's Amendm	ent/Comment
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. Examiner's Statemen	nt of Reasons for Allowance
	9. ☑ Other <i>The drawings</i>	
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		S. ALLAKH, PH.D. Y EXAMBLER

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DETAILED ACTION

- 1. According to paper filed on April 17, 2007, the applicants have canceled claims 8, 15-23, 26 and 27; amended claims 1 and 25 and furthermore, have added new claims 28-31.
- 2. Claims 1-7, 9-14, 24, 25 and 28-31 are now pending in the application.

EXAMINER'S AMENDMENT

3. The following amendment is pursuant to a telephone conversation with the applicant's attorney, Mr. James K. Blodgett on May 24, 2007. The following changes have been made in claim 28:

In claim 28, for the value of variable RB on page 9, line 1, <u>after</u> 2-4 substituents, <u>insert</u> --where 2 of said substituents are adjacent substituents and are taken together with the
attached carbon atoms to form an optionally substituted heterocycle and the remaining
2 substituents are -----.

In claim 28, for the value of variable RB on page 9, last two lines, <u>after alkyl</u>, <u>delete ----</u>; where 2 of said substituents are adjacent substituents and are taken together with the attached carbon atoms to form an optionally substituted heterocycle ------

4. Claims 1-7, 9-14, 24, 25 and 28-31, renumbered as claims 1-19, are allowed since the applicants have amended claims to overcome enablement, indefiniteness and prior art rejections and furthermore, due to their persuasive arguments on pages 12-15 regarding well established utility of topoisomerase I inhibitors for treating cancer in the prior art.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charanjit S. Aulakh whose telephone number is (571)272-0678. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas McKenzie can be reached on (571)272-0670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charanjit S. Aulakh Primary Examiner Art Unit 1625